

MINUTES

LOWER LOUP NATURAL RESOURCES DISTRICT BOARD OF DIRECTORS MEETING

May 26, 2022

Ord, Nebraska

The May meeting of the Board of Directors of the Lower Loup Natural Resources District was held at the Headquarters Office, 2620 Airport Drive, Ord, Nebraska, on May 26, 2022. Vice Chairman Eschliman called the meeting to order at 5:01 p.m.

CALL TO ORDER

Directors in attendance:

James C. Adams
Darwin B. Anderson
Robert L. Bauer
John Coffey
N. Richard Hadenfeldt
Gary A. Kruse
Larry Mohrman
Chad J. Podolak
Dean G. Thede
Rick Vlach

Rollie D. Amsberry, Treasurer
Timothy E. Bartak
Beth Boesch
James Eschliman, Vice Chairman
Randy Kauk
Matt Lukasiewicz
Alan D. Petersen
Gerald Smith
Henry J. Thoene, Secretary

Directors absent:

Todd Nitsch

Staff in attendance:

Russell G. Callan, General Manager
Kim A. Lyons, Financial Secretary
Larry D. Schultz, I&E Coordinator
Alan Bartels, Information Specialist
Richard L. Woollen, District Forester
Brian Kolar, Projects Technician

Tylr Naprstek, Asst. General Manager
Irene F. Kreifels, Administrative Assistant
Cameron Conrad, Water Modeling Coord.
V. Anne Freeman, Water Programs Sec.
Dell Harris, Water Resources Specialist

Guests in attendance:

Alex Vlach, Columbus
Jim Nelson, Cairo

Grant Gydesen, NRCS, St. Paul

VERIFICATION OF MEETING NOTICE AND ADOPTION OF AGENDA

Vice Chairman Eschliman asked for verification of the meeting notice. General Manager Russell Callan stated that the agenda was current, and that the meeting notices were properly published in all newspapers, posted at the NRD Headquarters office in Ord, on the NRD website, and in the eight field office locations.

ROLL CALL

Roll Call was conducted. Directors present: Adams, Amsberry, Anderson, Bartak, Bauer, Boesch, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Lukasiewicz, Mohrman, Petersen, Podolak, Smith, Thede, Thoene, Vlach. Directors Absent: Nitsch.

EXCUSED ABSENCES

Eschliman stated that Director Nitsch had asked to be excused.

Adams motioned, seconded by Petersen, to excuse Director Nitsch. Motion carried by electronic vote, all present voting yes.

MINUTES

Eschliman asked for corrections and/or additions to the April 28, 2022, Board meeting minutes. None were heard.

Boesch motioned, seconded by Bauer, to approve the April 28, 2022, Board meeting minutes as presented. Motion carried by electronic vote, all present voting yes.

TREASURER'S REPORT

Russell Callan, General Manager, highlighted expenditures of \$1,197.00 to Bruning Law Group for services related to violation letters; \$3,200.00 to EA Engineering for work on the Cover Crop GW Impact Study; and \$5,322.87 to JEO Consulting Group for work on the Hazard Mitigation Plan. He also highlighted expenditures of \$6,544.95 and \$4,448.10 to Big Red Printing for newsletter expenses; \$5,000.00 to Loup Basin RC&D for our approved contribution; \$18,975.00 to Phoenix Web Group for work on the database; \$9,911.12 to JEO Consulting Group for work on the WFPO projects; and \$21,362.00 to JEO Consulting Group for work on the Hazard Mitigation Plan.

Lukasiewicz asked why there were two expenditures for the Hazard Mitigation Plan. Callan explained that two bills came in separately, one prior to the agenda and one before the supplemental agenda.

Kruse motioned, seconded by Bartak, to approve the May 26, 2022, Treasurer's Report. Motion carried by electronic vote, all present voting yes.

The Treasurer's Report Approval Policy states that the approved expenditures are to be published and each director who has per diem and/or reimbursement of expenses included in such financial reports, abstains from voting for the approval of his or her own per diem and/or expense reimbursement.

PUBLIC COMMENTS

Eschliman asked if anyone from the public had any comments. None were heard.

FORESTER'S REPORT

Richard Woollen, District Forester, reported that the Nebraska Forest Service District staff meeting was held, and they visited areas near Weissert where the recent fires were burning. They also visited Aagaard Farm.

Woollen reported that machine planted trees were being finished. Kruse asked how many trees were sold this year. Woollen stated there were close to 80,000 and about 35,000 of those were machine plantings.

NRCS REPORT

Grant Gydesen, NRCS, St. Paul, reported that staff had been working on HEL compliance reviews and that they should be completed within the next couple of weeks. He also reported that roughly \$1.6 million was funded through CSP this year. Gydesen reported that NRCS had their first in-person staff meeting in two years at the Aagaard Farm. He also reported that NRCS was seeing an increase in interest in prescribed burn control for cedar trees and that there was a lot of CRP and buffer strip program interest.

INFORMATION & EDUCATION REPORT

Hazard Mitigation Plan

Larry Schultz, I&E Coordinator, reported that the Hazard Mitigation Plan had been reviewed by NEMA and had been sent on to FEMA for review. Once approved, the plan will be good for five years.

Camps

Schultz reported that ACE Camp would be coming up, as well as Youth Range Camp. Lower Loup NRD provides \$100 scholarships for ACE Camp and \$75 scholarships for Range Camp participants from the Lower Loup district.

Water Matters Newsletter

Schultz reported that the newsletter was distributed and that there was a lot of information included on using manure for fertilizer.

Outreach

Alan Bartels, Information Specialist, reported that staff hosted a field trip for about 20 kids at Aagaard Farm on May 16th. He said the kids were shown the food plots and a scavenger hunt was held.

Bartels also reported that the Groundwater Festival was held on May 17th in partnership with Center Platte NRD. Lower Loup staff conducted the Water Drop Relay.

Bartels reported that he and Callan went to Columbus and filmed a piece with Jon Vanderford of Pure Nebraska and 10/11 News featuring the NRD's 50th Anniversary. There would also be segments highlighting the Columbus Project as well as Pibel Lake.

ASSISTANT GENERAL MANAGER'S REPORT

Davis Creek Recreation Area

Tylr Naprstek, Assistant General Manager, reported that everything was operational at Davis Creek and that the lake was at full capacity.

Naprstek also reported that the federal FLAP grant application had been submitted for the paving project on the entry road to Davis Creek. Results were expected to be announced this fall.

Cover Crop Study

Naprstek reported that staff had a tough time getting into the fields to get the monitoring equipment out and back in due to weather and plantings, however, all equipment was deployed, and EA Engineering will be processing the data collected. He said there should be a preliminary report of findings in the fall.

Chemigation

Naprstek reported that roughly 2,000 chemigation permits had been processed. He said the deadline for renewals was June 1st and that reminder letters had been mailed, as well as postings on Facebook, the newsletter, radio ads, and in newspapers to remind producers of the deadline. He said that staff had started inspections and that staff would start "New" permit reviews in June.

Drought Monitoring

Naprstek reported that, based on the drought monitor, the District remains in severe drought conditions. A drought map of the state was shown.

WATER RESOURCES COMMITTEE

Nitrate Management – Crop Consultant Meeting Update

Naprstek reported that a meeting was held with eight crop consultants on May 10th. He reported that the participants were allowed to provide feedback on UNL's nitrate equation as well as provide information on what methods were used to figure fertilizer application rates, nitrogen credits, manure usage, and updates on LLNRD rules & regulations.

Smith stated that it took a bit to get going, but consultants opened up and shared their viable solutions. Eschliman stated he was pleasantly surprised by the discussion that was held.

Naprstek said that the polling results from the meeting were being reviewed and that the next meeting would be held with a larger stakeholder group, including representatives from municipalities and water consumers, as well as other interested parties.

New Irrigated Acres Discussion

Naprstek reported that the Committee held discussion on allotment of new irrigated acres in the District. He said that the Beaver Creek Basin was showing a decrease in available water. A table the Flatwater Group had prepared was shown with estimated long-term demand for the Beaver Creek Basin as well as short-term estimates. Discussion was held on the well drawdown area included in the Beaver Creek Basin.

Naprstek showed a map of the District, highlighting where staff recommended allowing new irrigated acres. Total appropriation percentages were reviewed for the Middle and North Loup Basins.

Adams asked if the area should be combined to one allotment between the two basins or if it was better to keep them separate. Callan stated that allotment could be changed based on applications that are received.

Smith motioned, seconded by Adams, to allow 500 irrigated acres per basin in the area between the North Loup River and the Middle Loup River.

Coffey asked if allowing conversion from gravity irrigation to pivots would be an innovative idea. Adams asked if there were usually extra acres when that kind of switch was made. Coffey explained that pivots would use half the water with more even distribution which could lessen nitrogen leaching. Callan stated the conversion could be done with a variance. Kruse stated that the Beaver Creek Basin should be looked at for pockets where use could be allowed. Callan stated that the streamflows are declining; however, static water levels have been up. Further discussion was held on the area where new acres would be allowed and where they would not be allowed this year.

Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Anderson, Bartak, Bauer, Boesch, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse,

Lukasiewicz, Petersen, Podolak, Smith, Thede, Thoene, Vlach. Director voting no: Mohrman. Director absent: Nitsch.

Naprstek stated that staff had received applications that would have groundwater rights on top of already existing surface water rights. It was explained that applications with existing surface water rights have an unfair advantage over groundwater acres.

Smith motioned, seconded by Thoene, to disallow any applications for any acres that were already served by a current surface water right.

Mohrman asked if the surface water users agree with that, so they can maintain their acres. Callan stated that the last variance was to allow for this type of situation, and both the NRD and irrigation district benefited from the action. Mohrman asked if averages were taken due to hills that may be present. Callan said the rules state that the whole field gets calculated. Lukasiewicz stated that he thought the NRD should not be giving out acres to those who already had access to water.

Motion carried by electronic vote. Directors voting yes: Adams, Amsberry, Bartak, Bauer, Boesch, Coffey, Eschliman, Hadenfeldt, Kauk, Kruse, Lukasiewicz, Mohrman, Petersen, Podolak, Smith, Thede, Thoene, Vlach. Director voting no: Anderson. Director absent: Nitsch.

Boone County – Well Drawdown Area

Naprstek stated that one test hole had been drilled and that the CSD well drillers would be back within two weeks to drill two additional holes near Petersburg. More information would be available next month.

Albion Commercial Well Permit – Waiver Request

Dell Harris, Water Resources Specialist, showed a map of Boone County. Harris explained the area on the map is owned by Boone County Development Group and discussed the well permit application received for a concrete plant. He stated that the requested placement did not allow for the 1,000 foot spacing requirement. Locations of other wells on the land were highlighted. It was explained that the applicant turned in a waiver from the State of Nebraska to allow the well; however, the Committee voted against it. Harris stated that the landowner bought a different piece of land to put the well on.

Smith motioned, seconded by Amsberry, to deny the waiver request received on the commercial well permit in Albion.

Bartak asked if owners of nearby wells must sign off on the waiver for it to be allowed. Callan stated that they do.

Motion carried by electronic vote, all present voting yes.

Transducer Report

Naprstek stated that there were 89 transducers being monitored across the Lower Loup NRD which allows staff to compare head pressure in the river vs. groundwater. Photos of various transducer sites were shown as well as a map of sites across the District. Naprstek stated that more would be installed in Petersburg and where AEM will fly. Graphs were shown of water levels at various locations.

Smith motioned, seconded by Boesch, to approve the transducer report. Motion carried by electronic vote, all present voting yes.

Columbus Recharge

Callan stated that next week there would be a slow start-up to make sure everything was operational. He stated some trees east of 14th Avenue needed to be removed. Callan stated the residents of Christopher's Cove had contacted the NRD to see when the project would be complete. Callan explained that once completed, the pumps would turn on automatically when they were triggered. Podolak asked who would be responsible for maintenance on the creek. Callan stated that it was the NRD's responsibility.

PROGRAMS/PROJECTS COMMITTEE

FEMA Buyout Project

Kruse stated that staff had met with the landowners who felt that the valuation given for the land was low, so they will be getting a second appraisal at their cost.

Mud Creek Project

Kruse reported that JEO was working on finishing the preliminary design. Naprstek stated that a meeting was held on Tuesday with the Army Corps of Engineers. JEO will continue to work on the preliminary project designs.

Mira Creek Project

Naprstek showed a map of the area. It was reported that Brian Kolar, Projects Specialist, Naprstek, and Callan had met with all but 3 of the 22 landowners to discuss access to have surveys conducted. It was stated that State historical information, as well as wetland impact, would be reviewed. It was stated that JEO was recommending cleaning and widening the channel from the highway bridge to 806th Road and adding a berm and diversion channel at the upper end to take excess flows to the North Loup River. Naprstek stated that the landowners that were most affected are on board with doing something.

It was mentioned that Lower Loup NRD would be responsible for maintenance on the channel with WFPO funds.

Sargent Flood

Kruse reported that the City of Sargent had submitted application for an HMGP grant and that Olsson was working on a WSF grant to help cover local match.

Master Plan Update

Naprstek stated he was working on updating the Master Plan which will expire in 2022. He is expected to have it ready to review at Committee meetings in June.

Building Update

Callan reported that there was some storm damage done to the building during the May 12th windstorm and he had asked the contractor working on the remodel/addition to do a change order to repair the storm damage. He said construction on the remodel and addition was moving along. He stated that they were hanging drywall today and that the tree cooler would be coming next week.

Other

Kruse reported that the Committee talked about the paving project at Davis Creek.

MANAGER'S REPORT

Board Vacancy – Subdistrict 8

Callan reported that Joe Citta's position would need to be advertised. Schultz reported that he notified the Secretary of State. It was explained that because the deadline has passed, the petition process would be needed for someone to get their name on the ballot. It was discussed that the vacancy could be filled by appointment for the remainder of the existing term.

Boesch motioned, seconded by Hadenfeldt, to advertise for the vacant board seat for Subdistrict 8.

Litigation Update

Callan reported that the instream flow rights had been signed for the Loup River. He stated that the NRD would meet with DNR to see how it would be administered or if any additional monitoring gauges were needed.

New Hires

Callan stated that Will Grint, Carson Corman and Marin Reilly were working as summer interns.

Non-action Reports

Coffey asked who the Chairman of the Board is now. Callan stated that Eschliman, as Vice Chairman, would fill in for now.

FY 2023 BUDGET WORK SESSION #1

Callan went over the following budget codes and the suggested amounts for budget.

Code 405 – Auto & Truck Expense - \$114,000
Code 167 – Auto, Trucks, & Other Equipment - \$130,000
Code 407 – Directors Expenses - \$60,000
Code 409 – Directors Per Diem - \$45,000
Code 413 – Dues & Memberships - \$70,000
Code 417 – Personnel Expenses - \$45,000
Code 419 – Fees & Licenses - \$63,400
Code 421 – Public Information, Education, and Promotion - \$160,000
Code 423 – Bonds - \$500
Code 425 – Insurance - \$65,000
Code 426 – Chemigation - \$8,500
Code 431 – Legal Notices - \$18,000
Code 432 – Miscellaneous Expenses - \$15,000
Code 433 – Office Supplies & Expenses - \$70,000
Code 169 – Office Equipment - \$100,000
Code 436 – Employment Security - \$5,500
Code 437 – Postage - \$45,000
Code 439 – Professional Services - \$50,000
Code 452 – Telephone - \$40,000
Code 453 – Utilities - \$60,000
Code 463 – Building Maintenance - \$30,000
Code 213 – Loan Repayment - \$2,000,000
Code 464 – Farm Account - \$20,000
Code 467 – Davis Creek Recreation Area & Maintenance - \$650,000
Code 469 – Wildlife Habitat Program - \$55,000
Code 479.00 & 454 – Pibel Lake Recreation Area & Maintenance - \$60,000

Kruse motioned, seconded by Thoene, to tentatively approve the first half of the FY 2023 Budget as presented. Motion carried by electronic vote, all present voting yes.

NARD REPORT

Eschliman reported that a meeting was held on insurance and that there would be a 15% increase in health insurance this year.

NRC REPORT

Hadenfeldt reported that the end of July was the submission date deadline for projects and that the next meeting was scheduled for August.

RC&D REPORT

Adams reported that he had not been in contact with Janet; however, she dropped off flyers for some of the different things they are doing.

Bartak motioned, seconded by Lukasiewicz, to enter Executive Session at 7:18 p.m. to discuss salaries. Motion carried by electronic vote, all present voting yes.

Smith motioned, seconded by Adams, to exit Executive Session at 7:48 pm. Motion carried by electronic vote, all present voting yes.

Kauk motioned, seconded by Mohrman, to approve a 4% increase in staff salaries for FY 2023, as well as an additional 2.25% increase to be apportioned at the discretion of the General Manager. Motion carried by electronic vote, all present voting yes.

Kruse motioned, seconded by Amsberry, to increase the General Manager's salary to \$142,000 per year. Motion carried by electronic vote, all present voting yes.

ANNOUNCEMENTS / FUTURE MEETING TOPICS

Eschliman talked about the visitation held for Joe Citta.

ADJOURNMENT

With no further business before the Board, Eschliman declared the meeting adjourned at 7:52 p.m.

Roster for attendance of this meeting and tally of votes cast on motions at this meeting are being filed with the official minutes of this meeting at the Lower Loup Natural Resources District's Headquarters Office, 2620 Airport Drive, Ord, Nebraska. Publication notification of this meeting was made via a newspaper in each county within the district. The next Board of Directors meeting will be held June 23, 2022, at 5:00 p.m., at the Headquarters Office in Ord, Nebraska.

Henry J. Thoene
Secretary